

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 21-1554V

UNPUBLISHED

DARCY WEIDNER,

Petitioner,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: July 8, 2022

Special Processing Unit (SPU);
Ruling on Entitlement; Concession;
Table Injury; Influenza (Flu) Vaccine;
Guillain-Barre Syndrome (GBS)

David John Carney, Green & Schafle LLC, Philadelphia, PA, for Petitioner.

Michael Johnson Dunn Brown, U.S. Department of Justice, Washington, DC, for Respondent.

RULING ON ENTITLEMENT¹

On July 7, 2021, Darcy Weidner filed a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. §300aa-10, *et seq.*² (the “Vaccine Act”). Petitioner alleges that she suffered from Guillain-Barre Syndrome (“GBS”) as a result of an influenza vaccination she received on October 4, 2019. Petition at 1. The case was assigned to the Special Processing Unit of the Office of Special Masters.

On July 8, 2022, Respondent filed his Rule 4(c) report in which he concedes that Petitioner is entitled to compensation in this case. Respondent’s Rule 4(c) Report at 1. Specifically, Respondent states that “Petitioner’s flu vaccination was adequately documented; the onset of symptoms was consistent with the Vaccine Injury Table onset

¹ Because this unpublished Ruling contains a reasoned explanation for the action in this case, I am required to post it on the United States Court of Federal Claims’ website in accordance with the E-Government Act of 2002. 44 U.S.C. § 3501 note (2012) (Federal Management and Promotion of Electronic Government Services). **This means the Ruling will be available to anyone with access to the internet.** In accordance with Vaccine Rule 18(b), Petitioner has 14 days to identify and move to redact medical or other information, the disclosure of which would constitute an unwarranted invasion of privacy. If, upon review, I agree that the identified material fits within this definition, I will redact such material from public access.

² National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755. Hereinafter, for ease of citation, all section references to the Vaccine Act will be to the pertinent subparagraph of 42 U.S.C. § 300aa (2012).

criteria; clinical findings and course of peripheral neuropathy are consistent with a common subtype of GBS in accordance with the Table Qualifications and Aids to Interpretation; and no other condition or abnormality was identified to explain her symptoms.” *Id.* at 8. Respondent further agrees that “Petitioner has satisfied the statutory requirement that Petitioner’s injury lasted for at least six months.” *Id.*

In view of Respondent’s position and the evidence of record, I find that Petitioner is entitled to compensation.

IT IS SO ORDERED.

s/Brian H. Corcoran
Brian H. Corcoran
Chief Special Master